

REPORT OF THE COMMITTEE ON PUBLIC WORK, INFRASTRUCTURE AND SUSTAINABILITY

Voting Members:

Carol Fukunaga, Chair; Joey Manahan, Vice Chair;
Brandon J. C. Elefante, Ann H. Kobayashi, Trevor Ozawa

Committee Meeting Held
October 17, 2018

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Public Works, Infrastructure and Sustainability, which considered Bill 72 (2018) entitled:

“A BILL FOR AN ORDINANCE RELATING TO FIRE SAFETY,”

which passed second reading and a public hearing held at the October 3, 2018, Council meeting, reports as follows:

The purpose of the Bill is to clarify the intent of Ordinance 18-14 and address implementation issues relating to fire safety measures and assessments enacted by that ordinance for the protection of persons and property in existing high-rise residential buildings.

The introducer of the Bill offered a proposed posted CD1, which, among other things, extends by one year all the deadlines set forth in the building fire and life evaluation process as outlined in Ordinance 18-14.

While acknowledging that a one-year extension is not very long, the Assistant Chief of the Honolulu Fire Department (HFD) testified in opposition to the bill, stating that the original timeline in Ordinance 18-14 was adequate and expressing concerns that extending the timeline would cause delays in the improvement of fire safety.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

NOV 14 2018

COMMITTEE REPORT NO. 355

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The Battalion Chief from HFD's Fire Prevention Bureau added that to date, HFD had processed 151 responses to letters of intent to comply and had provided information to 325 design professionals and Association of Apartment Owners (AOAO) members at eight meetings.

The President of the Hawaii Council of Associations of Apartment Owners DBA Hawaii Council of Community Associations (HCCA) testified in support of the Bill, and requested that the deadlines be extended by two years. While recognizing HFD's efforts and hard work in reaching out to professionals and the affected communities, HCCA reported that the implementation of Ordinance 18-14 has generated concerns and confusion among professionals who are authorized to conduct the Life Safety Evaluation (LSE) and among condo owners and managers who are responsible for hiring the professionals to do the LSE for their buildings. Some of the issues HCCA raised include:

- A. How mobility affects the matrix;
- B. Whether professionals must access all of the units or whether the requirement can be satisfied by a random sample;
- C. Where "vertical openings" should be located (common areas and not in the units);
- D. Whether Association staff can be "deputized" to assist the professionals in obtaining information for the LSE, e.g., smoke alarms and fire rated doors with metal closures in units; and
- E. What constitutes the use of non-destructive testing.

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Your Committee received written testimony in support of the Bill from one individual and written comments on the Bill from one individual.

Your Committee commends the HFD for working diligently on the implementation of Ordinance 18-14. However, to insure that all implementation issues are resolved before condo owners must adopt the most appropriate safety improvements for their buildings, your Committee finds that an extension of two years is reasonable to balance public safety for high rise residential condo residents and for emergency services and first responder personnel involved in firefighting rescues with practical safety requirements and the associated costs of related infrastructure improvements.

After discussion, your Committee considered and approved a CD1 version that makes the following amendments:

A. In Section 2 of the bill, amends Section 20-1.1(15), ROH, by extending all deadlines by two years as follows:

1. Amends 13.3.2.26.2 to read as follows (replacing the "[three]" with "five" years and "[six]" with "eight" years):

"**13.3.2.26.2** Existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system shall be subject to building fire and life safety evaluation code assessments, which consist of an assessment of building safety features and fire protection systems in accordance with this code and the building code on a form prescribed by the AHJ in accordance with Section 20-___4. A passing score on the evaluation provides a minimum level of fire and life safety to occupants and fire fighters that is approved by the AHJ. A building fire and life safety

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evaluation shall be conducted by a licensed design professional within ~~[three]~~ five years from the effective date of this ordinance. Buildings shall comply by passing the building fire and life safety evaluation within ~~[six]~~ eight years from the effective date of this ordinance. The AHJ may grant an extension pursuant to Section 13.3.2.26.7 if automatic fire sprinkler systems are used to achieve compliance. All buildings must continue to maintain a passing status on their respective building fire and life safety evaluation code assessments. For the purposes of this section, "existing high-rise residential building" means the same as "existing highrise residential building" as defined in Section 20-5.1."

2. Amends 13.3.2.26.2.4 to read as follows (inserting "two years and" to the existing deadline):
"**13.3.2.26.2.4** Each building owner shall, within two years and 180 days from the effective date of this ordinance, file a written statement of its intent to comply with this paragraph (15) with the AHJ for approval."
3. Amends 13.3.2.26.2.5 to read as follows (inserting "two years and" to the existing deadline):
"**13.3.2.26.2.5** The AHJ shall review and respond to the written statement of the owner's intent to comply within two years and 60 days of receipt of the statement of intent to comply."
4. Amends 13.3.2.26.2.6 to read as follows (replacing the "[42]" with "14" years):

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"13.3.2.26.2.6 Subject to the exceptions in the following section, the entire building shall be required to be protected by:

- (a) An approved automatic fire sprinkler system; or
- (b) Alternative fire prevention and fire safety systems as approved by the AHJ,

within [42] 14 years of the effective date of this ordinance, except where an extension is approved by the AHJ as provided in Section 13.3.2.26.2.7."

5. Amends 13.3.2.26.2.7 to read as follows (replacing the "[eight]" with "10" years, "[40]" with "12" years, "[42]" with "14" years, and "[45]" with "17" years):

"13.3.2.26.2.7 Compliance with the automatic fire sprinkler system throughout the building or alternative fire prevention and fire safety systems provisions of Section 13.3.2.26.2.2 shall be achieved as follows: Common areas for buildings 20 floors and over shall be completed within [eight] 10 years from the effective date of this ordinance, common areas for buildings 10 to 19 floors shall be completed within [40] 12 years from the effective date of this ordinance, and all buildings, regardless of the number of floors, shall be completed within [42] 14 years from the effective date of this ordinance. An extension to [45] 17 years from the effective date of this ordinance may be approved by the AHJ; provided that, compliance

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using an automatic fire sprinkler system in the common areas related to building egress path has been achieved."

B. Adds a new Section 3 to the Bill that reads as follows:

"SECTION 3. The Honolulu Fire Department shall submit a report to the Council on amendments recommended for Ordinance 18-14, not later than December 1, 2018."

C. Renumbers all subsequent sections thereafter accordingly.

D. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee on Public Works, Infrastructure and Sustainability is in accord with the intent and purpose of Bill 72 (2018), as amended herein, and recommends that it pass third reading in the form attached hereto as Bill 72 (2018), CD1. (Ayes: Fukunaga, Elefante, Kobayashi, Ozawa – 4; Noes: None; Excused: Manahan - 1.)

Respectfully submitted,


Committee Chair

At the 11/14/18 Council meeting, the Bill was further amended and subsequently passed Third Reading as Bill 72 (2018), CD1, FD1.

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HONOLULU, HAWAII

ADOPTED ON **NOV 14 2018**

COMMITTEE REPORT NO. **355**



A BILL FOR AN ORDINANCE

RELATING TO FIRE SAFETY.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to clarify the intent of Ordinance 18-14 and address implementation issues relating to fire safety measures and assessments enacted by that ordinance for the protection of persons and property in existing high-rise residential buildings.

SECTION 2. Section 20-1.1, Revised Ordinances of Honolulu 1990 ("Fire Code of the City and County of Honolulu"), as amended by Ordinance 18-14, is amended to read as follows:

"Sec. 20-1.1 Fire Code of the City and County of Honolulu.

The State Fire Code, as adopted by the State of Hawaii on August 15, 2014, pursuant to Chapter 132 of the Hawaii Revised Statutes (HRS), which adopts, with modifications, the 2012 National Fire Protection Association (NFPA) 1 Fire Code, published and copyrighted by the NFPA, is adopted by reference and made a part hereof, subject to the following amendments which, unless stated otherwise, are in the form of amendments to NFPA 1:

- (1) Amending Section 1.1.2. Section 1.1.2 is amended to read:

1.1.2 Title. This code shall be known and cited as the "Fire Code of the City and County of Honolulu" and will be referred to herein as "this code."

- (2) Amending Section 1.10. Section 1.10 is amended to read:

1.10 Board of Appeals. See Chapter 16 (Building Code), Article 1, ROH.

- (3) Amending Section 1.12.8. Section 1.12.8 is amended to read:

1.12.8 Permits, Licenses, and Fees. A permit or license shall be obtained from the Honolulu Fire Department's (HFD) Fire Prevention Bureau or designated agency prior to engaging in the following activities, operations, practices, or functions:

1. **Places of Assembly.** To operate a place of assembly. For permit requirements, see Section 20.1.1.1.
Annual Permit Fee: \$200



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2. Tents and Canopies. For permit requirements, see Section 25.1.2.

Permit Fee: \$200

3. Application of Flammable Finishes. For permit requirements, see Section 43.1.1.4.

Annual Permit Fee: \$200

4. Flammable and Combustible Liquid Tank Installation. For permit requirements, see Section 66.1.5.

One-Time Permit Fee:

\$150 for a tank capacity of 61 to 4,999 gallons

\$200 for a tank capacity of 5,000 gallons or greater

5. Liquefied Petroleum Gas (LPG) Container (Tank) Installation. For permit requirements, refer to Section 69.1.2.

One-Time Permit Fee:

\$200 for a single container or the aggregate of interconnected containers of 125-gallon water capacity or more

6. Licenses to inspect, test, and maintain the following fire protection systems:

Water-Based Systems - Three-Year License Fee: \$100

Nonwater-Based Systems - Three-Year License Fee: \$100

Portable Fire Extinguishers - Three-Year License Fee: \$100

7. Fireworks. For permits and license requirements, see Chapter 20, Article 6, ROH.

8. Automatic Fire Extinguishing Systems for Commercial Cooking Equipment Inspection Fee.

Initial Inspection Fee: \$100

Reinspection Fee: \$100



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9. Fire Alarm Systems Acceptance Test Inspection Fee. Inspection fees are as follows:

1-100 devices or appliances:

Initial Fee: \$100
Retest Fee: \$100

101-250 devices or appliances:

Initial Fee: \$250
Retest Fee: \$250

More than 250 devices or appliances:

Initial Fee: \$500
Retest Fee: \$500

10. Fire Plans Review Fee

- a. When plans or other specifications are submitted to the fire department per the Building Code, a plan review fee shall be paid at the time of submittal. The fees collected are hereby deemed appropriated upon receipt and may be expended for fire prevention activities relating to public education, fire investigations, plans checking, permit processing, fire inspections, certifications, and training.
- b. The Fire Plans Review Revolving Fund is established and created herewith as a repository for such fees. The fire plans review fee shall be ten (10) percent of the building permit fee payable to the City prior to the issuance of the building permit.

EXCEPTION: Where an automatic fire sprinkler system is elected to be installed in accordance with NFPA 13D, NFPA 13R, or NFPA 13, the Fire Plans Review Fee shall be waived.



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11. Fireworks Public Display Inspection Fee. For permit requirements, see Section 20-6.12.
Inspection Fee: \$200

(4) Amending Section 1.16.4. Section 1.16.4 is amended to read:

1.16.4 Citations. Any person, firm, or corporation who fails to comply with the provisions of this code or carry out an order made pursuant to this code or violates any condition attached to a permit, approval, or certificate, shall be deemed guilty of a misdemeanor.

(5) Amending Section 1.16.4.3. Section 1.16.4.3 is amended to read:

1.16.4.3 Failure to Comply. Each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this code is committed, continued, or permitted. Upon conviction of any such violation, such person shall be punished by a fine of not more than \$1,000 or imprisonment of not more than one year or both such fine and imprisonment.

(6) Amending Section 10.11.1. Section 10.11.1 is amended to read:

10.11.1 Open Burning Fires. Open burning shall be conducted in accordance with this section and may be prohibited when the authority having jurisdiction (AHJ) determines such fires are a hazard.

10.11.1.1 Compliance. Open burning shall comply with the following:

1. Fires for Cooking Food. Persons responsible for such fires not contained within an appliance, such as an imu, shall notify the HFD's Fire Communication Center (FCC) 15 minutes prior to lighting such fires.
2. Fires for Recreational, Decorative, or Ceremonial Purposes. Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
3. Fires to Abate a Fire Hazard. Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14



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days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.

4. Fires for Prevention or Control of Disease or Pests. Obtain written permission from the property owner. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
5. Fires for Training of Fire Fighting Personnel. Fires for the training of firefighting personnel shall be in accordance with NFPA 1403 and conducted only with the AHJ's approval. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
6. Fires for Disposal of Dangerous Materials. Submit a letter to the AHJ for approval at least 14 days prior to the event, noting the date, time, and location of the fire. Persons responsible shall notify the HFD's FCC 15 minutes prior to lighting such fires.
7. Fires for Residential Bathing Purposes. Notify the HFD's FCC at least 15 minutes prior to lighting such fires.

10.11.1.2 Responsibility. Fires for open burning allowed under Section 10.11.1 shall be the responsibility of the person igniting and maintaining the fire.

10.11.1.3 Incinerators. Private incineration is prohibited by State health laws.

EXCEPTION: Closed incinerators approved by the State Department of Health (DOH) shall be in accordance with NFPA 82.

- (7) Amending Section 10.11.6.1. Section 10.11.6.1 is amended to read:

10.11.6.1 For other than one- and two-family dwellings, no hibachi, grill, or other similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony, under any overhanging portion, or within 10 feet (3 meters) of any structure without the AHJ's approval.



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- (8) Amending Section 10.11. Section 10.11 is amended by adding Subsection 10.11.11 to read:

10.11.11 Open Flame Performances Before a Proximate Audience.

10.11.11.1 Open flame performances before a proximate audience shall comply with the following:

1. Performances that use an open flame, such as, but not limited to, "fire dancing" and "logo burns," shall be held outdoors or within a building protected with an automatic sprinkler system in accordance with Section 20.1.5.3.
2. Performances shall be in an area provided with at least 25 feet of clearance to readily combustible materials.
3. A minimum clearance of 20 feet shall be kept between the performance and the audience at all times. This distance may be reduced, provided an AHJ-approved, noncombustible safety net is in place in accordance with Section 20.1.5.3.
 - a. Gasoline, white gas, or any Class I flammable liquid shall not be used as the fuel source.
 - b. Fuel storage shall be kept in an approved container at least 25 feet away from the performance and the audience. The quantity of fuel stored shall only suffice for a single performance.
 - c. Performers shall not throw any open-flame props over the audience.
 - d. A CO2 fire extinguisher with a minimum 20B rating and an ABC fire extinguisher with a minimum 4A rating shall be readily available and within 30 feet of the performance. The fire extinguishers shall be constantly attended by a competent adult trained in the use of portable fire extinguishers.
 - e. Fire props shall be adequately extinguished immediately after performances by soaking in a bucket of water.



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- f. Additional clearances and/or means of fire extinguishment shall be provided if deemed necessary by the AHJ.

- (9) Amending Section 10.14.1.1. Section 10.14.1.1 is amended by adding Subsection 10.14.1.1.1 to read:

10.14.1.1.1

EXCEPTIONS:

1. Natural cut Christmas trees shall be allowed in assembly occupancies; provided that, except for those occupancies subject to exception 3 below, the occupancy shall be protected throughout with an approved automatic fire sprinkler system that is installed in accordance with NFPA 13.
2. Natural cut Christmas trees shall be allowed in hotel occupancies that are protected throughout with an approved automatic fire sprinkler system that is installed in accordance with NFPA 13. An approved fire watch shall be provided for the duration in which the Christmas trees remain in the hotel.
3. Natural cut Christmas trees shall be allowed in Honolulu Hale and Kapolei Hale. An approved fire watch shall be provided for the duration in which the Christmas trees are displayed.

- (10) Amending Section 10.14.10. Section 10.14.10 is amended by adding Subsection 10.14.10.4 to read:

10.14.10.4 Clearance of Brush or Vegetative Growth from Structures.

Persons owning, leasing, controlling, operating, or maintaining buildings or structures in, upon, or adjoining hazardous fire areas and persons owning, leasing, or controlling land adjacent to such buildings or structures shall at all times:

1. Maintain an effective firebreak by removing and clearing flammable vegetation and combustible growth from areas within 30 feet of such buildings or structures.



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EXCEPTION: Single specimens of trees, ornamental shrubbery, or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Maintain additional fire protection or firebreak by removing brush, flammable vegetation, and combustible growth located from 30 to 100 feet from such buildings or structures when required by the AHJ because of hazardous conditions causing a firebreak of only 30 feet, which is insufficient to provide reasonable fire safety.

EXCEPTION: Grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

3. Remove portions of trees which extend within ten feet of a chimney's outlet.
4. Maintain trees adjacent to or overhanging a building free of deadwood.
5. Maintain the structure's roof free of leaves, needles, or other dead vegetative growth.

- (11) Amending Section 11.12.2.2.1.2. Section 11.12.2.2.1.2 is amended by adding an exception to read:

EXCEPTION: One- and two-family dwellings shall require only one three-foot wide access pathway from the eave to the ridge on each roof slope where the modules are located.

- (12) Amending Section 11.12.2.2.2.2. Section 11.12.2.2.2.2 is amended by adding an exception to read:

EXCEPTION: One- and two-family dwellings shall be located not less than 1½ feet below the ridge.

- (13) Amending Section 13.1.2. Section 13.1.2 is amended by adding Subsections 13.1.2.1 and 13.1.2.2 to read:



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13.1.2.1 Halon and Clean Agent Systems. Condition of acceptance of halon and clean agent systems shall be satisfactory passage of a final approval of an installation test in accordance with nationally recognized standards and the manufacturer's instructions prior to final acceptance of the system. The test shall be witnessed by the AHJ.

13.1.2.2 Nonwater-based Fire Extinguishing Systems. Upon completion of a nonwater-based fire extinguishing system installation that is required by this code, a satisfactory final approval of the system's installation test shall be made in accordance with nationally recognized standards and the manufacturer's instructions. Nonwater based systems include, but are not limited to, dry chemical and carbon dioxide extinguishing systems. The test shall be witnessed by the AHJ.

(14) Amending Section 13.3.2.20.1. Section 13.3.2.20.1 is amended to read:

13.3.2.20.1 When required by the county building code, all new one- and two-family dwellings shall be protected throughout by an approved automatic sprinkler system in accordance with Section 13.3.2.20.2.

(15) Amending Section 13.3.2.26.2. Section 13.3.2.26.2 is amended to read:

13.3.2.26.2 Existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system shall be subject to building fire and life safety evaluation code assessments, which consist of an assessment of building safety features and fire protection systems in accordance with this code and the building code on a form prescribed by the AHJ in accordance with Section 20-__4. A passing score on the evaluation provides a minimum level of fire and life safety to occupants and fire fighters that is approved by the AHJ. A building fire and life safety evaluation shall be conducted by a licensed design professional within [~~three~~] five years from the effective date of this ordinance. Buildings shall comply by passing the building fire and life safety evaluation within [~~six~~] eight years from the effective date of this ordinance. The AHJ may grant an extension pursuant to Section 13.3.2.26.7 if automatic fire sprinkler systems are used to achieve compliance. All buildings must continue to maintain a passing status on their respective building fire and life safety evaluation code assessments. For the purposes of this section, "existing high-rise residential building" means the same as "existing highrise residential building" as defined in Section 20-5.1.



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13.3.2.26.2.1 The association of apartment owners of a condominium or the cooperative housing corporation of an existing high-rise residential building may appeal the final building fire and life safety evaluation score, and the resulting fire safety requirements for the building, as assessed by the licensed design professional or the determination of the AHJ, by filing a written request for an appeal to the director or head of the AHJ within 45 days of the date of the completed building fire and life safety evaluation

assessment or the AHJ's determination of the building's fire and life safety requirements, whichever is later. The request for an appeal shall include a statement of the basis for appeal, supporting documentation, if any, and the relief requested. The director or head of the AHJ shall render a decision on the appeal not later than 30 calendar days from the receipt of the appeal. The AHJ shall submit an annual report to the Council on the appeals filed for existing high-rise residential buildings and the disposition of the appeals.

13.3.2.26.2.2 Except as otherwise provided in this paragraph (15), which establishes the life safety evaluation system and authorizes owners of existing high-rise residential buildings to opt-out of approved automatic sprinkler systems through a life-safety evaluation process, existing high-rise residential buildings shall be protected throughout by an approved automatic fire sprinkler system in accordance with this chapter and the building code.

13.3.2.26.2.3 Notwithstanding any other provision of this paragraph (15), the association of apartment owners of a condominium or the cooperative housing corporation of an existing high-rise residential building 10 floors or higher may opt out of the automatic fire sprinkler system requirement; provided that, a majority of unit owners of a condominium or a majority of shareholders of a cooperative housing corporation vote to opt out of the requirement within three years of the completion of the building fire and life safety evaluation at a regularly scheduled or special meeting of the owners or shareholders, convened and noticed in accordance with the condominium's or cooperative housing corporation's by-laws; and provided further, that the building receives a passing score on the building fire and life safety evaluation through the implementation of alternative fire prevention and fire safety systems. An association of apartment owners



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of a condominium or a cooperative housing corporation that has opted out of the automatic fire sprinkler system requirement shall provide verifiable, public disclosure of its action to all current and future owners, shareholders and residents. Verifiable public disclosure shall include signs posted in the building's public notification areas and real estate sales disclosures as may be required by Hawaii real estate industry practices.

13.3.2.26.2.4 Each building owner shall, within two years and 180 days from the effective date of this ordinance, file a written statement of its intent to comply with this paragraph (15) with the AHJ for approval.

13.3.2.26.2.5 The AHJ shall review and respond to the written statement of the owner's intent to comply within two years and 60 days of receipt of the statement of intent to comply.

13.3.2.26.2.6 Subject to the exceptions in the following section, the entire building shall be required to be protected by:

- (a) An approved automatic fire sprinkler system; or
- (b) Alternative fire prevention and fire safety systems as approved by the AHJ,

within ~~[42]~~ 14 years of the effective date of this ordinance, except where an extension is approved by the AHJ as provided in Section 13.3.2.26.2.7.

13.3.2.26.2.7 Compliance with the automatic fire sprinkler system throughout the building or alternative fire prevention and fire safety systems provisions of Section 13.3.2.26.2.2 shall be achieved as follows: Common areas for buildings 20 floors and over shall be completed within ~~[eight]~~ 10 years from the effective date of this ordinance, common areas for buildings 10 to 19 floors shall be completed within ~~[40]~~ 12 years from the effective date of this ordinance, and all buildings, regardless of the number of floors, shall be completed within ~~[42]~~ 14 years from the effective date of this ordinance. An extension to ~~[45]~~ 17 years from the effective date of this ordinance may be approved by the AHJ; provided that, compliance using an automatic fire sprinkler system in the common areas related to building egress path has been achieved.



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EXCEPTION: Existing high-rise residential buildings are exempted from the automatic fire sprinkler system requirements in Section 13.3.2.26.2.2 if all dwelling units have exterior access and a continuous egress path to exit the building and have no full-length interior corridors.

EXCEPTION: Existing high-rise residential buildings less than 10 floors in height can receive a building fire and life safety evaluation passing status in lieu of the approved automatic sprinkler system requirements in Section 13.3.2.26.2.2.

EXCEPTION: Existing high-rise residential buildings may be protected throughout by an approved automatic fire sprinkler system per NFPA 13R when approved by the AHJ.

EXCEPTION: Private balconies that have at least one long side that is 50 percent open are not required to have automatic fire sprinkler protection.

EXCEPTION: Elevator hoistways and machine rooms are not required to have automatic fire sprinkler protection.

EXCEPTION: Class II wet standpipe systems may be removed when buildings are protected throughout by automatic fire sprinkler systems pursuant to Section 13.3.2.26.2.2.

EXCEPTION: Combined standpipe and automatic fire sprinkler systems using existing standpipes shall be permitted to utilize pump sizing for the fire sprinkler demand.

(16) Amending Section 13.7.1.4.10.4. Section 13.7.1.4.10.4 is amended to read:

13.7.1.4.10.4 When approved by the AHJ and where permitted by Chapter 11 through Chapter 43 of NFPA 101, a positive alarm sequence shall be permitted, provided that it is in accordance with NFPA 72. The following additional requirements shall also apply:

1. An automatic fire sprinkler system installed in conformance with the building code shall be provided throughout the building or facility.
2. Written fire emergency procedures and an evacuation plan for the building or facility shall be reviewed by the AHJ prior to approval testing. The procedures and plan shall include, but not be limited



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to, immediate notification to the fire department, use of primary and secondary exits, use of fire protection appliances for the building(s) or facility(ies).

3. Trained personnel shall respond to emergencies on a 24-hour basis. The staff shall be instructed in fire emergency procedures and the use and operation of in-house fire appliances. Documentation of such training shall be maintained and filed on the premises.
4. Immediate notification of the fire department shall take place upon activation of any fire alarm initiating device.
5. If the fire alarm system's initiating device is activated, acknowledgement at the control unit by trained personnel shall be accomplished within 15 seconds in order to initiate the alarm investigation phase. If the signal is not acknowledged within 15 seconds, all building or facility and remote signals shall be activated immediately and automatically (general alarm).
6. If the fire alarm system's initiating device is activated, notification devices in that zone shall be activated. The zone notification shall include the floor of, the floor above, and the floor below the activated device. The zone notification areas may be modified with the AHJ's approval. This zone notification shall be for a maximum of three (3) minutes, during which trained personnel shall initiate the alarm investigation phase, communicate their findings immediately to the fire department, and reset the system if appropriate. After three (3) minutes or an activation of any other initiating device(s), the fire alarm system shall be activated immediately and automatically for the entire building or facility (general alarm). At no time shall the fire alarm system be silenced until verification of the alarm is accomplished.
7. The fire alarm system shall provide a means to bypass the positive alarm sequence and immediately activate the general alarm for the entire building or facility.
8. The AHJ shall conduct a test of the positive alarm sequence prior to implementation.



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9. The AHJ may disapprove or rescind approval of the fire alarm system's positive alarm sequence if all of the above-mentioned requirements are not met and shall require the fire alarm system to be reprogrammed to meet a general alarm notification at the owner's expense.

- (17) Amending Section 13.7.3.2. Section 13.7.3.2 is amended by adding Subsection 13.7.3.2.5 to read:

13.7.3.2.5 Fire Alarm System Testing. A tag shall be placed on the fire alarm panel when tested in accordance with Section 13.7.3.2. Information on the tag shall include the testing date, testing company and contact information, technician performing the test, and satisfactory testing result.

- (18) Amending Section 18.2.3.1.3. Section 18.2.3.1.3 is amended to read:

18.2.3.1.3 The provisions of 18.2.3.1 through 18.2.3.2.2.1 shall be permitted to be modified by the AHJ where any of the following conditions exist:

1. Not more than two one- and two-family dwellings protected by an approved automatic sprinkler system in accordance with Section 13.1.
2. Not more than two existing one- and two-family dwellings.
3. Private garages having an area not exceeding 1,000 square feet.
4. Carports having an area not exceeding 1,000 square feet.
5. Agricultural buildings having an area not exceeding 1,000 square feet.
6. Sheds and other detached buildings having an area not exceeding 1,000 square feet.

- (19) Amending Section 18.2.3.2.2.1. Section 18.2.3.2.2.1 is amended to read:

18.2.3.2.2.1 Automatic Sprinkler Systems. When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 130, or NFPA 13R, an



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increase in distance in Section 18.2.3.2.2 shall be permitted as set forth by the AHJ.

- (20) Amending Section 18.2.3.2. Section 18.2.3.2 is amended by adding Subsection 18.2.3.2.3 to read:

18.2.3.2.3 Access for High-Piled Storage. When high-piled storage areas exceed 12,000 square feet, one or more access doors shall be provided in each 100 lineal feet, or major fraction thereof, of the exterior walls which face required access roadways. Required access doors shall be a minimum of three feet wide and six feet eight inches high. Roll-up doors shall not be allowed as access doors, unless approved by the AHJ.

- (21) Amending Section 18.5.6. Section 18.5.6 is amended to add a sentence to read:

Global positioning system coordinates of new and existing private hydrant locations shall be provided to the fire department.

- (22) Amending Section 20.1.1.1. Section 20.1.1.1 is amended to read:

20.1.1.1 Permits and Plans. A permit is required for each place of assembly with an occupant load capacity of 300 or more persons, such as restaurants, nightclubs, and dancing and drinking establishments. The permit shall be posted in a conspicuous location on the premises.

At the time of applying for a permit, the applicant shall submit to the AHJ two copies of the establishment's floor plan indicating the square footage (gross), seating arrangements (if more than one seating configuration is used by the establishment), occupancy load, aisle widths, exits and access ways to exits, and compliance with other fire code requirements in accordance with Chapter 20 of this code. See also amended Section 1.12.8.

- (23) Amending Section 20.1.5.10.3.1. Section 20.1.5.10.3.1 is amended to read:

20.1.5.10.3.1 Any room or area constituting an assembly, regardless of seating arrangements, shall have a permanent occupant load sign posted in a conspicuous place near the main exit from the room. The occupant load shall be established per the current building code.



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- (24) Amending Section 25.1.2. Section 25.1.2 is amended by adding Subsection 25.1.2.1 to read:

25.1.2.1 Tents and Canopies. A permit is required to erect or operate a tent or canopy having an area in excess of 2,100 square feet. At the time of application, two copies of the plot plan shall be submitted to the AHJ indicating distances to property lines, buildings, other tents and canopies, parked vehicles, or internal combustion engines. Refer to amended Section 1.12.8.

EXCEPTION: Permits are not required for private parties on private property.

- (25) Amending Section 43.1.1.4. Section 43.1.1.4 is amended to read:

43.1.1.4 Permits and Plans. A permit is required for spraying or dipping operations utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 43 of this code. At the time of applying for a permit, the applicant shall submit to the AHJ two copies of the spraying or dipping installation plan with distances from the storage of flammable or combustible liquids. The plan shall indicate the location of exits from the spraying or dipping area, an approved fixed extinguishing system installed in the permitted area, and other fire code requirements in accordance with Chapter 43 of this code. See also amended Section 1.12.8.

- (26) Amending Section 50.4.4.3.1. Section 50.4.4.3.1 is amended to read:

50.4.4.3.1 In existing systems, when changes in the cooking media, positioning, operation and use, or replacement of cooking equipment, or changes in ownership occur, the fire-extinguishing system shall be made to comply with 50.4.4.3 and 50.4.11.

- (27) Amending Section 50.4.11. Section 50.4.11 is amended by adding Subsection 50.4.11.3 to read:

50.4.11.3 Acceptance Test. Prior to commencing initial cooking operations, a satisfactory acceptance test of the system shall be made in accordance with the manufacturer's instructions. The acceptance test shall be of an approved method and witnessed by the AHJ.



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- (28) Amending Section 65.1.1. Section 65.1.1 is amended to read:

65.1.1 The storage, use, and handling of explosives, fireworks, and model rocketry shall comply with the requirements of this chapter, NFPA standards referenced within this chapter, Sections 60.1 through 60.4 of this code, and applicable county laws and rules.

- (29) Amending Section 66.1.5. Section 66.1.5 is amended by adding Subsection 66.1.5.1 to read:

66.1.5.1 Permits and Plans. A permit is required to install or operate equipment in connection with the storage, handling, use, or sale of flammable or combustible liquids regulated under Chapter 66 of this code. Permits are not transferable and any change in use, occupancy, operation, ownership, vendor, or capacity shall require a new permit. At the time of application, two copies of the plot and cross-sectional plans indicating distances from property lines, buildings, other fuel tanks located on the premises, dispensers, emergency electrical shutoff, vent lines and diameter, piping, location of fire extinguisher, and necessary signage and placards shall be submitted to the AHJ.

Tank installations within the jurisdiction of the City and County of Honolulu (City) shall be approved by the Department of Planning and Permitting's (DPP) Zoning Division prior to submitting an application for the HFD's Flammable and Combustible Liquid Tank Installation Permit. For installations in State conservation zoned areas, tank installations shall be reviewed and approved by the State Department of Land and Natural Resources (DLNR). Refer to amended Section 1.12.8.

- (30) Amending Section 66.21.7.4.3.4. Section 66.21.7.4.3.4 (1) is amended to read:

1. All flammable and combustible liquids, residues, and vapors shall be removed from the tank, appurtenances, and piping. Confirmation that the atmosphere in the tank is safe shall be by testing of the atmosphere using combustible gas indicators or an oxygen meter.

- (31) Amending Section 69.1.1.3. Section 69.1.1.3 is amended by adding Subsection 69.1.1.3.1 to read:



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69.1.1.3.1 Records. Installers shall maintain a record of installations for permits not required by Section 1.12.8, and such record shall be available for inspection by the AHJ.

EXCEPTION: Installation of gas-burning appliances and replacement of portable cylinders.

(32) Amending Section 69.1.2. Section 69.1.2. is amended to read:

69.1.2 Permits and Plans. A permit is required to install or dispense LPG or maintain an LPG container (tank).

EXCEPTION: A permit is not required to install or maintain a portable container or the aggregate of interconnected containers of less than a 125-gallon water capacity.

Permits shall not be transferable and any change in use, occupancy, operation, ownership, vendor, or capacity shall require a new permit. Distributors shall not fill an LPG container for which a permit is required, unless a permit for installation has been issued for that location by the AHJ.

Where a single container or the aggregate of interconnected containers is of a 125-gallon water capacity or more, the installer shall submit plans to the AHJ.

LPG installations requiring a permit shall have the permit on site and available for inspection by the AHJ.

At the time of application for a permit, the installer shall submit to the AHJ two copies of the plot and cross-sectional plans indicating distances from property lines, buildings, other fuel tanks located on the premises, dispensers, emergency electrical shutoff, vent lines and diameter, piping, location of fire extinguisher(s), and necessary signage and placards. Container installations within the jurisdiction of the City shall be approved by the DPP's Zoning Division prior to submitting an application for the HFD's LPG Tank Installation Permit. For installations in State preservation-zoned areas, container installations shall be reviewed by the State DLNR. Refer to amended Section 1.12.8.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL **72 (2018), CD1**

A BILL FOR AN ORDINANCE

(33) Amending Section 69.3.6.1.2. Section 69.3.6.1.2 is amended to read:

69.3.6.1.2 LPG containers or systems of which they are a part shall be protected from damage from vehicles in accordance with Section 60.5.1.9."

SECTION 3. The Honolulu Fire Department shall submit a report to the Council on amendments recommended for Ordinance 18-14, not later than December 1, 2018.

SECTION 4. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL **72 (2018), CD1**

A BILL FOR AN ORDINANCE

SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

Carol Fukunaga

DATE OF INTRODUCTION:

September 6, 2018
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu